

MEMORANDUM .

June 25, 1975

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing date: 7/1/75

Petition No. Z-3338
Gas Land, Inc.
Joseph A. Tyler (lessee)
88 Seaver Street, Roxbury
at Park View Street

Vacant gas service station structure - apartment (H-1) district.

Purpose: to change occupancy from gas service station to gas service station, restaurant, outdoor sale and display of fruits and vegetables, and sale within a structure of same.

Violations:

Section 8-7. Sale over the counter of on-premises-prepared food or drink for off-premises consumption or for on-premises consumption if, as so sold, such food or drink is ready for take-out is forbidden in an H-1 district.

Section 8-7. Sale of fruits and vegetables within a structure is forbidden in an H-1 district.

Section 8-7. Outdoor sale or display for sale of fruits and vegetables is forbidden in an H-1 district.

Section 9-2. A change in a nonconforming use requires Board of Appeal approval.

Proposal is inappropriate; excessive number of uses would tend to create traffic congestion. There is no objection to a gas service station facility.
Recommend denial

VOTED: In reference to Petition No. Z-3338, brought by Gas Land, Inc., 88 Seaver Street, Roxbury, for three forbidden uses and a change in a nonconforming use for a change of occupancy from gas service station to gas service station, restaurant, outdoor sale, display of fruits and vegetables, and sale within a structure of same, in an apartment (H-1) district, the Boston Redevelopment Authority recommends denial. Proposal is inappropriate; excessive number of uses would tend to create traffic congestion. There is no objection to a gas service station facility.

Z-33338
88 SEAVIER ST.
(ROX)



Board of Appeal Referrals 6/25/75

Hearing date: 7/15/75

Petitions Nos. Z-3341-3342
Northeastern University
39-41 Leon Street, Boston
near Greenleaf Street

Two five-story masonry structures - manufacturing (M-1) district.

Purpose: to continue and make permanent offices, research laboratories, and storage occupancy.

Violation:

Section 7-4. Contrary to previous decision of Board of Appeal.

In January 1974, the Authority recommended approval of a conversion from shoe manufacturing to the university-related uses. The Board of Appeal subsequently concurred with the proviso that the conditional uses terminate July 9, 1975. There is no objection to the current proposal, which would be consistent with the institutional character of the area. However, Northeastern University must meet with the City and the community to develop a comprehensive master plan by responding to the City-BRA critique of the initial plan submission and resolving policy and land use problems, with a commitment to the completion of the plan by the end of 1975. Recommend approval with condition.

VOTED: In reference to Petition Nos. Z-3341-3342, brought by Northeastern University, 39-41 Leon Street, Boston, in the Fenway Urban Renewal Area, for a conditional use to continue and make permanent offices, research laboratories, and storage occupancy of two structures in a manufacturing (M-1) district, the Boston Redevelopment Authority recommends approval. However, Northeastern University must meet with the City and the community to develop a comprehensive master plan which will respond to the City-BRA critique of the initial plan submission and resolve policy and land use problems, with a commitment to complete the plan by the end of 1975.



Board of Appeal Referrals 6/25/75

Hearing date: 7/15/75

Petition No. Z-3343

Roman Catholic Archdiocese of Boston
8-10 Derne Street, Boston
near Bowdoin Street

Four-story structure - apartment (H-2-65) district.

Purpose: to erect one-story addition to office building.

Violations:

Required

Proposed

Section 9-1. Extension of a nonconforming use requires
Board of Appeal hearing.

Section 20-1. Rear yard is insufficient.

30 ft.

6 ft.

Proposed rear ground-level addition would provide office space for the petitioner's charitable social services facility. The number of employees would not increase. Improvement has support of neighborhood association.
Recommend approval.

VOTED: In reference to Petition No. Z-3343, brought by the Roman Catholic Archdiocese of Boston, 8-10 Derne Street, Boston, for an extension of a nonconforming use and a variance to erect a one-story addition to an office building in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends approval. Violation would not have an adverse effect on surrounding properties. Proposal has support of neighborhood association.



Board of Appeal Referrals 6/25/75

Hearing date: 7/15/75

Petition No. Z-3344
Alessandro and Mary De Santis
6 North Crescent Circuit, Brighton
near Breck Avenue

2½-story frame structure - residential (R-.5) district.

Purpose: to erect shed dormer addition to two-family dwelling.

Violation:

	<u>Required</u>	<u>Proposed</u>
Section 15-1. Floor area ratio is excessive.	0.5	0.6

Violation is minimal. Additional space is required for disabled family member. Dormer would not have a significant effect on the residential neighborhood. Recommend approval.

VOTED: In reference to Petition No. Z-3344, brought by Alessandro and Mary De Santis, 26 North Crescent Circuit, Brighton, for a variance to erect a shed dormer addition to a two-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Violation is minimal. Proposal would not have a significant effect on this residential neighborhood.



Z-3344
26 NORTH CRESCENT CIRCUIT
(B.R.I.)

Board of Appeal Referrals 6/25/75

Hearing date: 7/1/75

Petition Nos. Z-3345-3346
Joseph J. Richiell
666-668 East Broadway, South Boston
near K Street

One-story frame commercial structure plus two-story frame dwelling - general business (B-1) district.

Purpose: to subdivide; to legalize occupancies for retail store and one-family dwelling.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 14-3. Lot width is insufficient.	50 ft.	22 ft.
Section 14-4. Street frontage is insufficient.	50 ft.	22 ft.
Section 14-5. Access is insufficient.	15 ft.	5 ft.
Section 18-1. Front yard is insufficient.	20 ft.	10 ft.
Section 20-1. Rear yard is insufficient.	22 ft.	2 ft.

Store, located at front of lot on East Broadway, would be sold for use as a retail florist shop. Petitioner would continue to own and occupy rear dwelling structure. Violations are technical and will not affect this commercial-residential area. Recommend approval.

VOTED: In reference to Petitions Nos. Z-3345-3346, brought by Joseph J. Richiell, 666-668 East Broadway, South Boston, for five variances to subdivide and to legalize occupancies for retail store and one-family dwelling in a general business (B-1) district, the Boston Redevelopment Authority recommends approval. Violations are technical and would not affect this commercial-residential area.



Board of Appeal Referrals 6/25/75

Hearing date: 7/15/75

Petition No. Z-3348
Trustees of Boston University
616-620 Commonwealth Avenue, Boston
near Blandford Street

Three-story structure - apartment (H-4) district.

Purpose: to erect one-story addition to University structure.

Violation:

Section 8-6. A change in a conditional use requires Board of Appeal approval.

Extension would be utilized as a laboratory area in conjunction with an existing pottery-making classroom. Proposal would be consistent with the general institutional nature of the immediate area. However, Boston University must first complete and submit a master plan of future land use and land use policies to the City and the BRA. Recommend approval with condition.

VOTED: In reference to Petition No. Z-3348, brought by the Trustees of Boston University, 616-620 Commonwealth Avenue, Boston, for a conditional use to erect a one-story addition to a University structure in an apartment (H-4) district, the Boston Redevelopment Authority recommends approval. Proposal would be consistent with general institutional nature of the area. Boston University must first complete and submit a general master plan of future land use and land use policies to the City and the BRA.

Board of Appeal Referrals 6/25/75

Hearing date: 7/15/75

Petition No. Z-3360

Barbara A. Carroll

1117 River Street, Hyde Park

at Webster Street

2½-story frame structure - residential (R-.5) district.

Purpose: to change occupancy from one-family dwelling and funeral parlor to one-family dwelling and nursery school.

Violation:

Section 8-7. A nursery school is conditional in an R-.5 district.

Site is appropriate, consistent with residential, commercial, and institutional nature of the neighborhood. Nursery will occupy only the first floor of the structure. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3360, brought by Barbara A. Carroll, 1117 River Street, Hyde Park, for a conditional use for a change of occupancy from a one-family dwelling and funeral parlor to a one-family dwelling and nursery school in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval provided that the nursery facility be limited to 30 children and that it comply with all City and State regulations.



Board of Appeal Referrals 6/25/75

Hearing date: 7/15/75

Petition No. Z-3364
Massachusetts Port Authority
McDonald's Corporation (lessee)
35 Water Street, Charlestown
near Joyner Street

24,659 square feet of land - waterfront (W-2) district.

Purpose: to erect one-story restaurant structure.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. Sale over the counter of on-premises-prepared food or drink for off-premises consumption or for on-premises consumption if, as so sold, the food or drink is ready for take-out is conditional in a W-2 district.		

Section 20-1. Rear yard is insufficient. 10 ft. 2 ft.

Site is in the immediate vicinity of the Naval Shipyard, which will be developed as one of seven sites of the Boston National Historic Park, and the recently opened Bunker Hill Pavillion Museum. It is located opposite a complex intersection involving four separate traffic movements. Proposed parking lot has a single two-way entrance-exit curb cut which could create back-up and congestion within the lot and on Water Street.

There is some community opposition to the proposed facility. Conditional use requirements have not been met. Recommend denial.

VOTED: In reference to Petition No. Z-3364, brought by the Massachusetts Port Authority and McDonald's Corporation, 35 Water Street, in the Charlestown Urban Renewal Area, for a conditional use and a variance to erect a one-story restaurant structure in a waterfront (W-2) district, the Boston Redevelopment Authority recommends denial. Site is in the immediate vicinity of the Naval Shipyard, which will be developed as one of seven sites of the Boston National Historic Park, and the recently opened Bunker Hill Pavillion Museum. It is located opposite a complex intersection involving four separate traffic movements. Proposed parking lot has a single two-way entrance-exit curb cut which could create back-up and congestion within the lot and on Water Street. There is some community opposition to the proposed facility. Conditional use requirements have not been met.

3364

WATER ST.
(Chsn.)



Board of Appeal Referrals 6/25/75

Hearing date: 7/15/75

Petition No. Z-3366
First Federal Savings and Loan
Association of Boston
84 Summer and 301 Devonshire Streets,
Boston

Parking lot - 3,812 square feet of land - general business (B-10) district.

Purpose: to erect a one-story drive-in bank structure.

Violation:

Section 8-7. A drive-in bank is conditional in a B-10 district.

Site is inappropriate. Drive-in facility would intensify existing acute traffic congestion and impede pedestrian circulation. Further, proposal is contrary to current plans to improve pedestrian circulation and limit the use of automobiles in the central downtown area. Recommend denial.

VOTED: In reference to Petition No. Z-3366, brought by First Federal Savings and Loan Association of Boston, 84 Summer and 301 Devonshire Streets, Boston, for a conditional use to erect a one-story drive-in bank structure in a general business (B-10) district, the Boston Redevelopment Authority recommends denial. Drive-in facility would intensify existing acute traffic congestion and impede pedestrian circulation. Further, proposal is contrary to current plans to improve pedestrian circulation and limit the use of automobiles in the central downtown area.



(B.P.)

Z-3366
84 SUMMER ST.
301 DEVONSHIRE ST.

POINT

Board of Appeal Referrals 6/25/75

Hearing date: 7/15/75

Petition No. Z-3370
Rose and Frank DiPanfilo
17 Fleet Street, Boston
near Hanover Street

Four-story structure - apartment (H-3) district.

Purpose: to change occupancy from three apartments and restaurant to four apartments.

Violation:

Required Proposed

Section 8-7. Any dwelling converted for more families which does not meet the requirements for open space is forbidden in an H-3 district.

Section 17-1. Open space is insufficient. 100 sf 28 sf

First-floor apartment unit replacing nonconforming restaurant use is consistent with multi-family residential character of the neighborhood. Recommend approval with design review proviso.

VOTED: In reference to Petition No. Z-3370, brought by Rose and Frank DiPanfilo, 17 Fleet Street, Boston, for a forbidden use and a variance for a change of occupancy from three apartments and restaurant to four apartments in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.



Board of Appeal Referrals 6/25/75

Hearing date: 7/1/75

Petition No. Z-3371
Lidapell Corporation
John J. Murphy
20 Washington Street, Brighton
at Corey Road

81,565 square feet of land.

Three three-story apartment structures, three one-story vacant commercial structures (all to be demolished) - apartment (H-1) and local business (L-1) districts.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 10-1. Parking not allowed in required front yard.		
Section 14-2. Lot area for additional dwelling unit is insufficient.	1000 sf	342 sf
Section 15-1. Floor area ratio is excessive.	1.0	2.2
Section 16-1. Height of building is excessive.	35 ft.	55 ft.
Section 17-1. Open space is insufficient.	400 sf	106 sf
Section 18-1. Front yard is insufficient.	20 ft.	0
Section 18-3. Corner traffic visibility is insufficient.		
Section 19-6. Side yard is insufficient.	10 ft.	0
Section 21-1. Setback of parapet is insufficient.	41 ft.	0
	24 ft.	10 ft.

Development would be constructed under the provisions of the "turnkey" housing program. Staff has reviewed plans and participated in community discussions. Approval for a similar development was recommended by the Authority in June 1973; the Board of Appeal concurred (265 units). Recommend approval with design review proviso.

VOTED: In reference to Petition No. Z-3371, brought by Lidapell Corporation, 20 Washington Street, Brighton, for nine variances to erect an eight-story 225-unit apartment structure for the elderly in apartment (H-1) and local business (L-1) districts, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.

